



JUN 28 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/699,035	10/31/2003	John Francis Bateman	A36056-PCT-USA-A

CONFIRMATION NO. 3842
FORMALITIES LETTER



OC000000012806557

Date Mailed: 05/28/2004

21003
 BAKER & BOTTS
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
 DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

for us

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BAKER BOTTS LLP

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$) 0**

Complete if Known	
Application Number	10/699,035
Filing Date	October 31, 2003
First Named Inventor	Bateman and Fitzgerald
Examiner Name	To Be Assigned
Art Unit	1641
Attorney Docket No.	A36056-PCT-USA-A

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee required under 37CFR 1.16 and 1.17
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(<u>\$</u>) 0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			- 20 =	0	x = 0
			- 3 =	0	x = 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(<u>\$</u>) 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

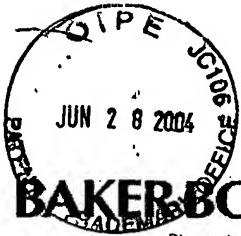
Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

(Complete if applicable)

Name (Print/Type)	Carmella L. Stephens	Registration No. (Attorney/Agent)	41,328	Telephone 212-408-2500
Signature	<i>Carmella L. Stephens</i>		Date	June 24, 2004



BAKER BOTTS LLP

Please type a plus sign (+) inside this box → **[+]**

TRANSMITTAL FORM

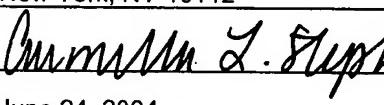
(to be used for all correspondence after initial filing)

		Application Number	10/699,035
		Filing Date	October 31, 2003
		First Named Inventor	Bateman and Fitzgerald
		Group Art Unit	1641
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission		Attorney Docket Number	A36056-PCT-USA-A

ENCLOSURES (check all that apply)

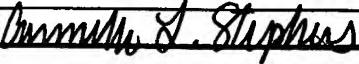
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice to Comply, copy of Notice, sequence listing, diskette, return receipt postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

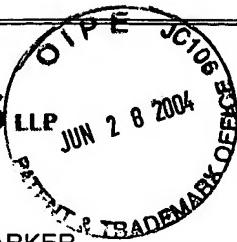
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature	 Att Name: Carmella L. Stephens PTO Reg: 41,328	
Date	June 24, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: June 24, 2004

Typed or printed name	Carmella L. Stephens	
Signature		Date June 24, 2004

BAKER BOTTS



Attorney Docket Number: A36056-PCT-USA-A

Title: A MOLECULAR MARKER

Use Space Below for Additional Information:

A large, empty rectangular box with a thin black border, intended for additional information or a drawing.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bateman and Fitzgerald

Application No.: 10/699,035 Examiner: To be assigned

Filed: October 31, 2003 Art Unit: 1641

For: A MOLECULAR MARKER

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

June 24, 2004
Date of Deposit

Carmella L. Stephens 41,328
Attorney Name Registration No.

Carmella L. Stephens June 24, 2004
Signature Date of Signature

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply with Requirement for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("Notice") dated May 28, 2004, Applicants submit herewith a substitute Sequence Listing in computer and paper form, in accordance with 37 C.F.R. §1.821-1.825. The content of the paper and computer-

readable copies of the substitute Sequence Listing submitted in accordance with 37 C.F.R. §1.821(c) and (e) are the same and do not include new matter. A copy of the Notice is enclosed.

Applicants do not believe that any additional fee is required in connection with this submission. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit any overpayments made, to Deposit Account 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
BAKER BOTTS LLP

Carmella L. Stephens
Rochelle K. Seide
PTO Registration No. 32,300

Carmella L. Stephens
Patent Office Reg. No. 41,328

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